

ORIGINAL

T05-0041

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT NO. 1134

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("COMMISSION"), the Union Pacific Railroad ("COMPANY"), the Village of Glenview ("VILLAGE"), and the State of Illinois, Department of Transportation ("DEPARTMENT").

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through informal correspondence that inquiry should be made into the matter of improving public safety at the West Lake Avenue highway-rail grade crossing of the Company's track in the Village of Glenview, in Cook County, Illinois, designated as crossing **AAR/DOT #174 118V, milepost 16.12**; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by representatives of the Commission's Transportation Division Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and sight distances and other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to the Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

DOCKETED

Section 2 The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

- (a) The installation of supplemental warning devices for pedestrians who utilize the sidewalk on the **north side** of West Lake Avenue. This will consist of two (2) pedestrian gates.

Section 3 The Company has prepared a preliminary estimate of cost, attached as Exhibit B to accomplish the proposed safety improvements, which it may be required to perform. The Company shall upon Order, according to the requirements contained therein, prepare and submit detailed drawings, detailed circuit plans, estimates of cost and any required specifications for the proposed improvements for the approval of the Commission. The Company agrees that an appropriate time for the submission of plans should be six (6) months from the date of a Commission Order subsequent to this Agreement.

Section 4 The COMPANY shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the completion of the proposed improvements should be twelve (12) months from the date of a Commission Order subsequent to this Agreement.

Section 5 The parties agree that an equitable division of cost for the proposed improvements should be as follows:

COST DIVISION TABLE:

IMPROVEMENT	EST. COST	GCPF	VILLAGE	COMPANY	IDOT
Install two (2) gate arms at the West Lake Avenue pedestrian-rail grade crossing, located along the north side of the West Lake Avenue highway-rail grade crossing	\$70,000	\$0	(100%) \$70,000 ¹	\$0	\$0
TOTALS	\$70,000	\$0	\$70,000	\$0	\$0

Notes:

¹ The VILLAGE will be responsible for all costs associated with the installation and maintenance of the supplemental pedestrian gates. Maintenance, performed by the COMPANY, is estimated to be between \$2500 and \$3500 per year. The COMPANY will bill the VILLAGE for actual maintenance costs associated with the pedestrian gates.

Section 6 The VILLAGE is financially able and willing to bear an equitable portion of the cost for the proposed improvements as may be assigned by the Order and indicates this intent by Resolution attached as Exhibit C.

Section 7 Special Provisions: The Company shall complete and submit the Project Manager Information portion of the Project Status Report sheet, attached as Exhibit D, along with this executed Agreement.

The Company shall, at six (6) month intervals from the date of Commission Order subsequent to this Agreement, submit to the Director of Processing and Information, Transportation Bureau of the Commission, the Project Status Report, attached as Exhibit D, regarding the progress it has made toward completion of the work herein required. Each Project Status Report shall include the Commission Order number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number, facsimile number, and electronic mailing address of the Company Project Manager.

Section 8 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the Commission shall enter an appropriate order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

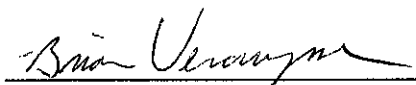
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 31st day of May 2005.

A handwritten signature in black ink, appearing to read "Michael E. Stead", written over a horizontal line.

Michael E. Stead
Rail Safety Program Administrator

Attest:

A handwritten signature in black ink, appearing to read "Brian Vercruysse", written over a horizontal line.

Brian Vercruysse
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 1134 concerning improvements at the West Lake Avenue highway-rail grade crossing of the COMPANY'S track in the Village of Glenview, Cook County, Illinois, designated as crossing **AAR/DOT 174 118V, Milepost 16.12.**

Executed by the VILLAGE this 21st day of June, 2005.

Village of Glenview

By: Kerry D. Cummings
(Title)

Attest:

Todd Hill

Illinois Commerce Commission Stipulated Agreement No. 1134 concerning improvements at the West Lake Avenue highway-rail grade crossing of the COMPANY'S track in the Village of Glenview, Cook County, Illinois, designated as crossing **AAR/DOT 174 118V, Milepost 16.12.**

Executed by the DEPARTMENT, this 27th day of June, 2005.

Illinois Department of Transportation

Victor A. Modeer
Victor A. Modeer, Director of Highways 

Illinois Commerce Commission Stipulated Agreement No. 1134 concerning improvements at the West Lake Avenue highway-rail grade crossing of the COMPANY'S track in the Village of Glenview, Cook County, Illinois, designated as crossing **AAR/DOT 174 118V, Milepost 16.12.**

Executed by the COMPANY this 20 day of July, 2005.

Union Pacific Railroad

By: D. R. DeLong
(Title)

Attest:

C. W. Saylor

**ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT
CROSSING DATA FORM**

GENERAL INFORMATION: See Location Sketch

RAILROAD	Union Pacific Railroad
USDOT#, MILEPOST	174 118V, MP 16.12
STREET, CITY, COUNTY	West Lake Ave in Glenview, Cook County
JURISDICTION (RDWY)	City of Glenview
LOCATION	Residential/High School/Industry
STREET SURFACE	Bituminous

CROSSING DATA: See Location Sketch for roadway profile and track centers

TRACK (W-E or N-S)	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
1W	Rubber	7'	Fair
2E	Rubber	7'	Fair

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	N/A
TRAFFIC CONTROL	N/A
ADT & SPEED	16,000 @ 35 MPH (5% Trucks)
TRAFFIC TYPE	Passenger, School Busses, Trucks
ADVANCE WARNING	Yes
PAVEMENT MARKING	Fading

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	47 Per day @ 30 MPH
PASSENGER TRAFFIC	Not Applicable
WARNING DEVICES	Automatic Flashing Light Signals/Gates/Bells

NOTES:

VISIBILITY STUDY: See Location Sketch

Train Speed	30	MPH
Roadway Speed	35	MPH
Required Stopping Sight Distance (SSD)		
Along Roadway	254	FEET
Along Tracks	286	FEET
Required Clearing Sight Distance (CSD) (Along Tracks)	794	FEET

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2001, Fourth Edition.

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	*		*	
NW	*		*	
SE	*		*	
SW	*		*	

* No sight obstructions for pedestrians or motorists.

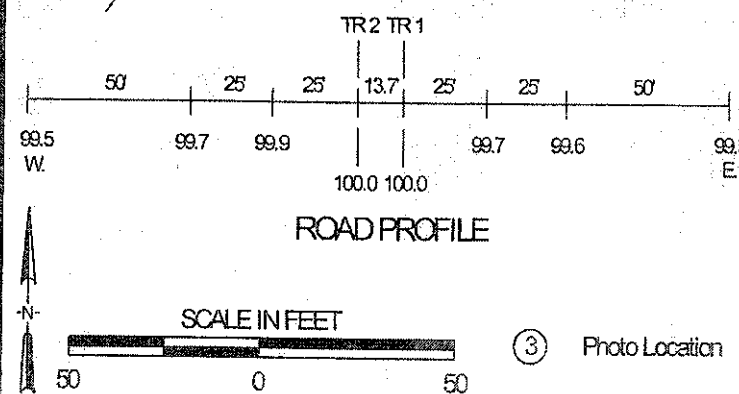
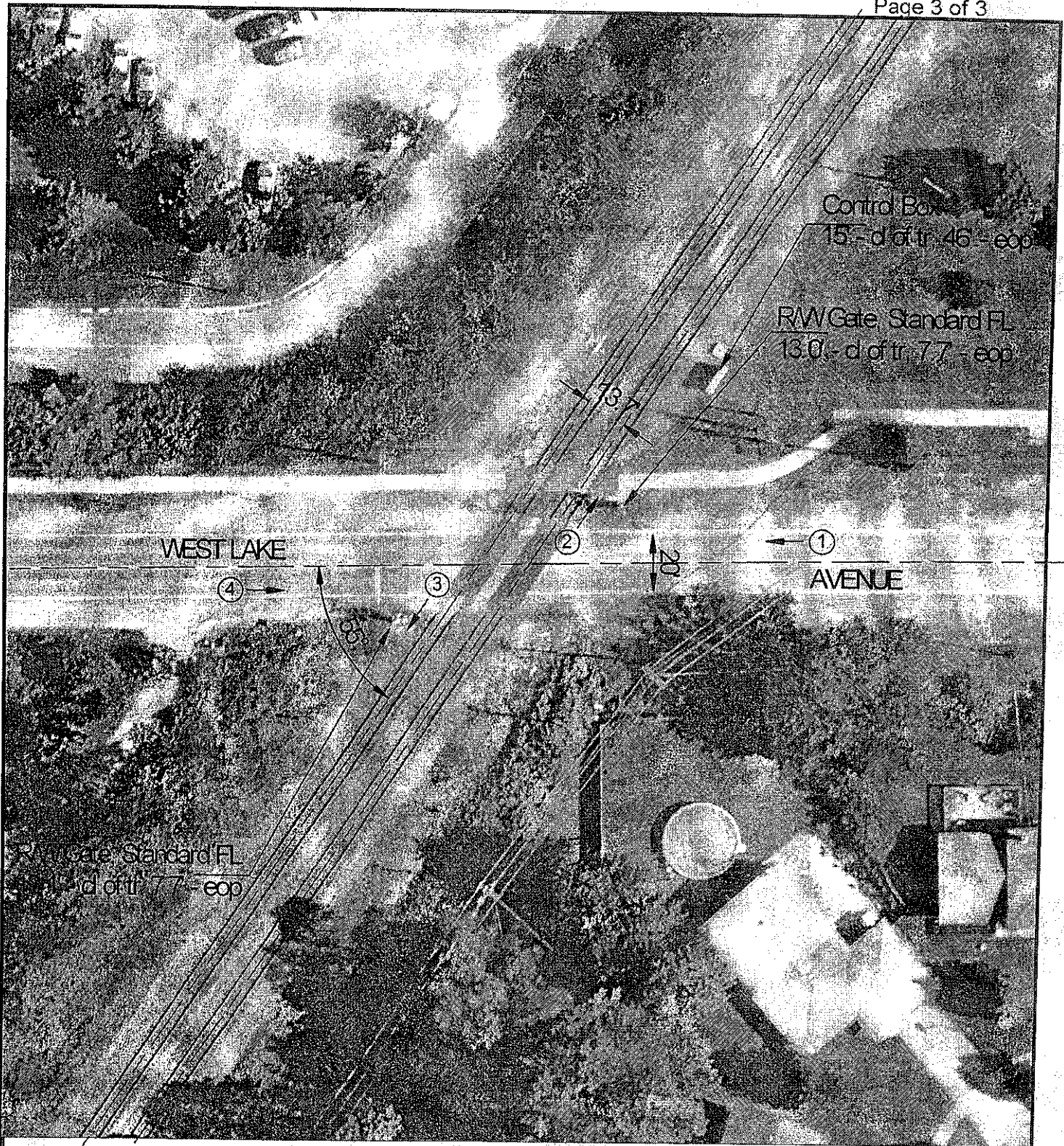
APPROACH GRADES: See Location Sketch for existing.

DIRECTION: WEST/NORTH			DIRECTION: EAST/SOUTH		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
0	100.0	*	0	100.0	*
25	99.9	.4	25	99.7	1.2
50	99.7	.6	50	99.6	.8
100	99.5	.5	100	99.3	.7

Distance measured from outermost rail.

COMMENTS:

See Page 3 for a Location Sketch (Aerial Photo) of the crossing.



Crossing #: 174118V
 Location: Cook Co., City of Glenview (I)
 Lat/Long: 42°05'14" / 87°50'41"
 Railroad: UP
 Street: West Lake Avenue
 Railroad Milepost: 16.12
 Crossing Protection: Train Activated Devices

EXHIBIT B
SA 1134

April 11, 2005
Grade Crossing: Public
IL: Glenview
Westlake Ave
MP 16.12 Milwaukee Sub
DOT No. 174 118V

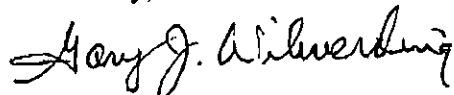
Phil Porter
Director Public Works
Village of Glenview
1333 Shermer Road
Glenview, IL 60026

Dear Mr. Porter:

Per our conference call March 21, 2005 regarding installation of Pedestrian Gates at West Lake Avenue in Glenview, IL, I estimate the material and labor for installation of two Pedestrian gates at between \$65,000 and \$75,000. In addition to the installation, the City would be billed for yearly maintenance costs of \$2,500 to \$3,500.

I have attached examples from the Manual on Uniform Traffic Control Devices (MUTCD) of Pedestrian Barrier Installations. The configuration of the crossing surface provides an opportunity for pedestrians walking along the sidewalk to look both ways for possible oncoming trains. Including fencing along the tracks maintains a focused access across the tracks. The present site has gates, lights and a bell to further warn pedestrians of approaching trains. This installation will require the existing sidewalk to be replaced. Estimated cost for replacing with 'Z' configuration across UP right of way is estimated at \$15,000 to \$25,000. Also, Walk-Don't Walk signals might be used to provide additional warning.

Sincerely,



Gary J. Wilwerding
Manager Industry and Public Projects
708/649-5210

ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT NO. 1134

Date June 21, 2005

The Village Board of Trustees of Village of Glenview
(Board or Council of City)

meeting on June 21, 2005, Resolved to authorize Kerry D. Cummings
(Date) (Name, Office)

to act as its designated agent in the processing of this Stipulated Agreement and that the Village of Glenview is financially willing and able to bear the cost for the proposed improvements as may be assigned to it according to Section 5 of this Agreement.

**ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

PROJECT STATUS REPORT:

TYPE: (CHECK ONE)

PROGRESS	<input type="checkbox"/>
COMPLETION*	<input type="checkbox"/>

DATE	<input type="text"/>
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PROJECT INFORMATION:

Reporting Party:	Union Pacific Railroad
Docket/Order #; Date:	
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due ¹ :	
AAR/DOT#, Milepost:	174 118V, MP 16.12
Street, (in/near) City, County:	West Lake Avenue, in Glenview, Cook County
Railroad Company:	Union Pacific Railroad

¹Completion reports involving changes to the railroad crossing must include an updated USDOT Inventory Form.

PROJECT MANAGER INFORMATION²:

Name:	Gary Wilwerding
Title:	Manager of Industry & Public Projects
Representing:	Union Pacific Railroad
Street Address:	301 West Lake Street
City, State, Zip:	Northlake, IL 60164
Office Phone:	708-649-5210
Office Fax:	
Cellular Phone:	
E-Mail Address:	gwilwerding @ UP.com

²Project Manager information to be submitted by Roadway Authority and Railroad Company

DESCRIPTION OF IMPROVEMENT(S) ORDERED:

Describe improvements. Include TEMPORARY STOP SIGNS, if required.

STATUS OF WORK:

**ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

Mail directed to the **Rail Safety Section** or the **Director of Processing and Information**, Transportation Bureau of the Commission should be addressed to:

The Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701-1827

If you have questions, contact:

Brian Vercruysse, Railroad Safety Specialist
Phone: (630) 424-8750
Email: bvercruy@icc.state.il.us

A **Form 3** can be obtained from the Illinois Commerce Commission by calling 217/782-7660 or on the web at:

<http://www.icc.state.il.us/hg/library.aspx?key=Railroad%20Safety>

United States Department of Transportation Inventory Form #6180.71 can be obtained on the web at:

<http://safetydata.fra.dot.gov/OfficeofSafety/Forms/Default.asp>

Submit Inventory forms to:

Federal Railroad Administration Office of Safety 1120 Vermont Avenue, NW Washington, DC 20590	<u>And</u>	Chief of Data Services Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764
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